

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/13/2019

## ORDER

Defendant.

LORNA G. SCHOFIELD, United States District Judge:

WHEREAS, on January 28, 2019, Judge Moses issued a Report and Recommendation to deny Defendant's motion for judgment on the pleadings, grant Plaintiff's cross-motion and remand this action to the Commissioner (Dkt. No. 16);

WHEREAS, as stated in Judge Moses' January 28, 2019, Report and Recommendation, the parties "have fourteen (14) days from this date to file written objections" (Dkt. No. 16);

WHEREAS, no timely objections were filed;

WHEREAS, in reviewing a Report and Recommendation of a magistrate judge, a district judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “In a case such as this one, where no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Poulos, v. City of New York*, No. 14 Civ. 3023, 2018 WL 3745661, at \*1 (S.D.N.Y. Aug. 6, 2018) (internal quotation marks omitted).

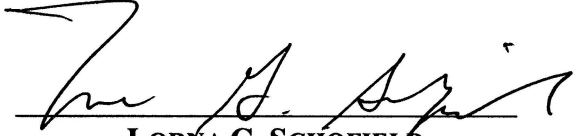
WHEREAS, the Court finds no clear error on the face of the record. It is hereby

**ORDERED** that the Report and Recommendation is adopted. For the reasons stated in the Report and Recommendation, Defendant's motion for judgment on the pleadings is **DENIED**,

Plaintiff's cross-motion is GRANTED, and the case is REMANDED to the Commissioner for development of the administrative record and additional proceedings, consistent with the Report and Recommendation, on a fully developed record.

The Clerk of Court is respectfully directed to close the case and all pending motions.

Dated: February 13, 2019  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**